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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

L.C., a minor by and through her guardian *ad litem* Maria Cadena, individually and as successor-in-interest to Hector Puga; I.H., a minor by and through his guardian *ad litem* Jasmine Hernandez, individually and as successor-in-interest to Hector Puga; A.L., a minor by and through her guardian *ad litem* Lydia Lopez, individually and as successor-in-interest to Hector Puga; and ANTONIA SALAS UBALDO, individually;

Plaintiffs,

vs.

STATE OF CALIFORNIA; COUNTY OF SAN BERNARDINO; S.S.C., a nominal defendant; ISIAH KEE; MICHAEL BLACKWOOD; BERNARDO RUBALCAVA; ROBERT VACCARI; JAKE ADAMS; and DOES 6-10, inclusive,

Defendants.

Case No. 5:22-cv-00949-KK-SHK

[Consolidated for purposes of discovery with *Botten, et al. v. State of California, et al.*, Case No. 5:23-cv-00257-KK-SHK]

*Honorable Kenly Kiya Kato
Mag. Judge Shashi H. Kewalramani*

DECLARATION OF HANG D. LE

1 I, Hang D. Le, declare as follows:

2 1. I am an attorney duly licensed to practice law in the State of California,
3 and the Central District of California. I make this declaration in support of Puga
4 Plaintiffs and Botten Plaintiffs' Consolidated Opposition to County Defendants' Ex
5 Parte Application to Reconsider Modifying Scheduling Order to Extend Discovery
6 Cutoff to Take Single Deposition. I have personal knowledge of the facts contained
7 herein and could testify competently thereto if called.

8 2. On January 8, 2025, after the Court issued its Orders denying State
9 Defendants' December Ex Parte Applications, County Defendants reached out to
10 Plaintiffs requesting a stipulation to take the deposition of neighbor Sal after the
11 discovery cut-off, based on County Defendants' belief that the Court did not address
12 the issue of the black-and-white video in its Orders and that if Plaintiffs did not agree
13 to stipulate, County Defendants would bring an ex parte application for
14 reconsideration based on the argument that Defendants did not have the ability to act
15 diligently to obtain the video sooner. Plaintiffs' counsel replied, pointing out that the
16 Court had addressed the issue of the black-and-white video in its Orders, and that
17 Plaintiffs did not believe there was any sufficient grounds present that would satisfy
18 the standard for reconsideration. County Defendants ultimately indicated that they
19 intended to file an ex parte application for reconsideration on the basis that they could
20 provide additional information to show that they were diligent in discovery and would
21 suffer prejudice if not allowed to take neighbor Sal's deposition; County Defendants
22 did not contend that there were any new material facts that formed the basis for
23 reconsideration. Attached hereto as "**Exhibit 1**" is a true and correct copy of the email
24 chain regarding County Defendants' requested stipulation to take the deposition of Sal
25 and anticipated ex parte application.

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1 I declare under penalty of perjury under the laws of the State of California and
2 the United States of America that the foregoing is true and correct. Executed this 14th
3 day of January 2025, in Woodland Hills, California.

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